

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JAMES McALPHIN  
ADC #88328

PLAINTIFF

v.

No. 5:18-cv-213-DPM

KENNETH HOLDER, Doctor, ADC,  
East Arkansas Regional Unit;  
and RONALD STUKEY, Doctor

DEFENDANTS

ORDER

On *de novo* review, the Court adopts Magistrate Judge Kearney's recommendation,\* *No* 104, and overrules McAlphin's sur-reply and objections, *No* 105 & *No* 106. FED. R. CIV. P. 72(b)(3). The motion for summary judgment, *No* 87, is granted. Those remaining claims against Holder and Stukey will be dismissed with prejudice.

So Ordered.

*D.P. Marshall Jr.*  
D.P. Marshall Jr.  
United States District Judge

*30 January 2020*

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\* The Court makes one correction to the recommendation: There are stray references to "Hubbard" on page 8. Those should refer to Defendant Holder.